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COLLIER COUNTY GOVERNMENT

COMMUNITY DEVELOPMENT SERVICES DIVISION

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A CERTIFIED BLUE CHIP COMMUNITY

PLANNING SERVICES
September 18, 1995

The Honorable Reed Hundt
Chairman
Federal Communications Commission
1919 M Street, Room 814
Washington, D.C. 20554

Re: Satellite Dish Rulemaking
IB Docket No. 95-59

Dear Chairman Hundt:

The purpose of this correspondence is to oppose your proposed rule to limit the applicability of local zoning and building codes to satellite dishes. Your proposed rule goes much too far and will lead to loss of property values and may cause loss of life. The safety of our community and children and the preservation of property is substantially more important than being able to watch a few more TV channels.

Zoning and land use codes typically limit the type of structures that can be placed in front yards so there is clear sight distance. This allows drivers to see children running into the street, cars backing out of driveways, and the like. Do not permit the television industry the ability to preempt requirements for limiting structures (satellite dishes) in front yards, which may have irrevocable consequences and endanger the lives of our children.

Additionally, satellite dishes can substantially reduce property values. This is another reason not to preempt zoning regulations for satellite dishes in a front yard. Your rule would allow individuals the right to place dishes in front yards so as to impact their neighbor's property values and clear sight distance; even if adequate reception was available in the rear yard. If someone is going to take action that would impact their neighbor's property values, appropriate landscaping and screening requirements are necessary to minimize these impacts. Consequently, don't preempt local zoning codes for satellite dishes in front yards.

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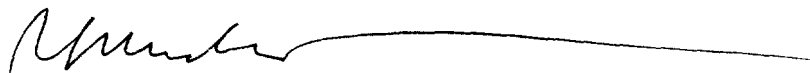
Also, you should not preempt local building codes. These requirements are imposed solely to protect buildings and their inhabitants. The requirements can vary significantly from place to place depending upon the likelihood of hurricanes, tornadoes, large snow falls, earthquakes or winds. You should not preempt local regulations whose sole purpose is to protect the safety of lives and property, particularly when satellite dishes ballasted with thousands of pounds of weights and guyed wires are located on top of or adjacent to a building.

Finally, you should not preempt the fees typically imposed by municipalities for permits and the like. Such fees are imposed in exactly the same fashion as the FCC does to recover the costs of issuing permits, process applications, and grant approvals.

If you believe such fees are an impediment to the information superhighway, the FCC should start first by waiving all its fees and requirements.

An original and one copy of this letter is being submitted to the Secretary in accordance with 47 C.F.R. & 1.419(b). An additional five copies are being submitted to the Commissioners, and four copies are being served on the International Bureau.

Sincerely,



Robert J. Mulhere, AICP
Planning & Technical Services Manager

RJM/bk/15541

cc: ✓ Mr. William F. Caton (original and one copy)
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Commissioner James H. Quello
Federal Communications Commission
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